

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Matthew Travis Houston,

Case No.: 2:22-cv-00693-JAD-NJK

Petitioner

**Order Dismissing Action**

v.

Calvin Johnson, *et al.*,

Respondents

This action is a petition for a writ of habeas corpus under 28 U.S.C. § 2241, initiated April 25, 2022, by Matthew Travis Houston, who is incarcerated at Nevada’s High Desert State Prison. I summarily dismiss this action because Houston has not paid the filing fee and he has not filed a complete application to proceed *in forma pauperis*, and because his petition is plainly frivolous.

Houston’s application to proceed *in forma pauperis*<sup>1</sup> is incomplete. Houston has not included the required financial certificate signed by a prison officer.<sup>2</sup> For this reason, I deny Houston’s *in forma pauperis* application. And because Houston has not paid the filing fee and he has not filed a proper *in forma pauperis* application, I also dismiss this case.

I have also examined Houston’s petition for writ of habeas corpus,<sup>3</sup> and I find that it is patently meritless. The court may grant a writ of habeas corpus to a person in state custody only if the person is “in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2241(3); 28 U.S.C. § 2254(a). Houston’s petition is nearly inscrutable.<sup>4</sup> As

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<sup>1</sup> ECF No. 1.

<sup>2</sup> See LSR 1-2.

<sup>3</sup> ECF No. 1-1.

<sup>4</sup> See *id.*

1 best I can tell, it does not set forth any potentially meritorious claim that his custody violates  
2 federal law. So I dismiss this action on this further, and alternative, ground.

3 IT IS THEREFORE ORDERED that Petitioner's Application to Proceed *in Forma*  
4 *Pauperis* (ECF No. 1) is **DENIED**.

5 IT IS FURTHER ORDERED that **this action is DISMISSED** without prejudice, and the  
6 Clerk of the Court is directed to **ENTER JUDGMENT ACCORDINGLY**. A **certificate of**  
7 **appealability is DENIED** because jurists of reason would not find debatable whether the court  
8 is correct in dismissing this action.

9 IT IS FURTHER ORDERED that **the Clerk of the Court is directed to:**

- 10 • **ADD** Aaron D. Ford, Attorney General of the State of Nevada, to the docket for  
11 this case, as counsel for the Respondents; and
- 12 • **SERVE** the Respondents with a copy of the habeas petition (ECF No. 1-1) and a  
13 copy of this order. Respondents need take no action with respect to this case.

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16 U.S. District Judge Jennifer A. Dorsey  
May 2, 2022  
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